IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CRIMINAL JURISDICTION

CRIMINAL WRIT PETITION NO.1303 OF 2006

Mr Mahendra Choraria .... Petitioner

versus

The State of Maharashtra & anr.. Respondents

Mr.Rajendra Sorankar, Advocate for Petitioner

Mr.A.S.Gadkari,A.P.P.for Respondents

CORAM : J.N.PATEL AND

SMT.ROSHAN DALVI, JJ

DATED : 25th September, 2006

P.C.

1. Heard.

2. The learned A.P.P.has filed an affidavit which is taken on record. Copy is furnished to the other side.

3. The petitioner has approached this Court for quashing of the F.I.R. No.263 of 2005 with Antop Hill Police Station, Mumbai. It appears that though the charge sheet was filed on 18th January, 2006 the petitioner was served with its copy on 12th September, 2006 i.e. after filing if the Writ Petition. Therefore, in view of the fact that as the police has already concluded the investigation in the case and filed the charge sheet against the petitioner, question of quashing the F.I.R. does not arise. The petitioner can very well defend himself in the Court where the charge sheet is filed against him.

4. Petition is dismissed as infructuous.

(Smt R.S.Dalvi,J) **(J.N.Patel,J)**